

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Enzo Life Sciences, Inc., and  
Enzo Biochem, Inc.,

Plaintiffs,

v.

Affymetrix, Inc.,

Defendant.

Civil Action No. 04 CV 1555 (JES)

**MOTION TO WITHDRAW  
COUNSEL OF RECORD**

Affymetrix, Inc., Defendant in the above-caption matter, by and through their counsel, Wilmer Cutler Pickering Hale and Dorr LLP (“WilmerHale”), hereby move to withdraw the appearances of James P. Barabas, formerly of WilmerHale; and John J. Kirby, Jr., Sean R. Nowak, Catherine E. Palmer, and Richard B. Ulmer, Jr. of or formerly of Latham & Watkins LLP. Mr. Barabas is no longer employed by WilmerHale; Mr. Kirby retired from Latham & Watkins on June 30, 2007; Mr. Nowak and Mr. Ulmer are no longer employed by Latham & Watkins LLP; and Ms. Palmer is no longer working on this matter. The undersigned of WilmerHale, together with counsel of record from the firm of Kaye Scholer LLP, will continue to represent Affymetrix, Inc. in this action. Accordingly, no party will be prejudiced by the withdrawal of the aforementioned attorneys from this matter.

Dated: October 12, 2011

Respectfully submitted,

Robert J. Gunther, Jr.

Robert J. Gunther, Jr.

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